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been dispensed with and the space thus saved could have been profitably devoted to a fuller examination of some of the more difficult problems of the general subject of municipal corporations which the author slips over easily or fails to notice at all.

G. S.

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CONSULAR TREATY RIGHTS AND COMMENTS ON THE "MOST FAVORED NATION" CLAUSE. By Ernest Ludwig, I. and R. Consul for Austria-Hungary, Cleveland, Ohio. The New Werner Company, Akron, Ohio, 1913, pp. 239.

Among the most important features of modern commercial treaties is the inclusion in a large number of cases of a clause providing for "most favored nation" treatment. By means of this device it is possible to incorporate subsequent commercial developments into the substance of any treaty without the delay attendant upon the ratification of a new convention. In this manner a desirable uniformity in international commerce is being developed. However, according as the national policy dictates a protective tariff or free trade, two contrasted interpretations of the "most favored nation" clause have arisen. By the earlier of these views, the American, "most favored nation" treatment is only to be granted in reciprocity for similar treatment, while the later Continental or English attitude demands an unconditional application of the clause. The present treatise, addressed to the various probate judges of Ohio and Lower Michigan and primarily concerned with consular privileges, is to all intents and purposes a brief in favor of the Continental standpoint, and this for the reason that nearly all consular rights under our treaties with Austria-Hungary are to be derived from the "most favored nation" clause.

After citing the text of the provisions in the treaties between the United States and Austria-Hungary which relate to the rights of consuls, the author gives in the form of a brief the relevant cases, some of them rather unimportant (vide the cases on pp. 58, 60 which have been appealed). There follows a criticism of the United States Supreme Court decision, *in re Rocca v. Thompson*, and of the opinion of *C. Cushing* which sets forth the American attitude.

Despite the fact that the author adduces considerable material tending to show that the American position has not been entirely consistent, his argument remains at the end rather inconclusive for the reason that he does not seem to have been able to dislodge its fundamental assumption, namely, that, as commercial treaties are based upon reciprocity of mutual advantage, the same principle should apply to the "most favored nation" clause. We can, furthermore, scarcely agree to the author's conclusion on p. 168 that CUSHING in his opinion maintains that "the mutual benefits stipulated in treaties *must* be equivalent." All this, however, hardly does justice to the work itself, for, although not written in the most elegant style nor as systematically arranged as it should be, it represents a considerable amount of painstaking compilation and is well-worthy the careful attention of any one interested in this mooted question.

H. E. Y.